



CRM-M-65307-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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Decided on:10.03.2025

Amanpreet Singh @ Aman

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Lakshay Bector, Advocate for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS,2023 for grant of regular bail to the petitioner, who has been booked for having committed the offences punishable under Sections 22 and 25 of NDPS Act, in FIR No.139, dated 13.09.2023, registered at Police Station Dakha, District Ludhiana, during the pendency of trial.

2. Learned counsel for the petitioner submits that as per the case of the prosecution, 235 loose tablets containing salt 'Buprenorphine', weighing 28.67 gms has been recovered from the petitioner, whereas 20 gms of it is considered as maximum of non-commercial quantity. Counsel further submits petitioner is sole bread earner and has three school going minor children, who are required to be looked after by him. Counsel submits that petitioner is in custody for the last more than one year and seven months and out of total ten prosecution witnesses, only two have been examined till date. Thus, culmination of

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trial is likely to take considerable time, therefore, prays for grant of regular bail.

3. On the other hand, learned State counsel while opposing the prayer of the petitioner submits that charges were framed on 25.01.2024 and after framing of charges out of total ten prosecution witnesses, two have been examined.

Learned State counsel submits that the contraband recovered from the conscious possession of the petitioner falls under commercial quantity, thus, prays for dismissal of the present petition.

4. I have heard learned counsel for the parties and considering the fact that the quantity recovered from the petitioner is 28.67 gms, which is 8.67 gms more than minimum of commercial quantity; only two prosecution witnesses have been examined in the last fourteen months; culmination of trial is likely to take considerable time, and petitioner cannot be kept behind bars for indefinite period, this Court deems it appropriate to consider the plea of the petitioner.

5. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.



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7. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 10, 2025
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Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: YES/NO